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18 **UNITED STATES DISTRICT COURT**  
19 **NORTHERN DISTRICT OF CALIFORNIA**  
**OAKLAND DIVISION**

20 EPIC GAMES, INC.,  
21  
22 Plaintiff, Counter-defendant,  
23  
24 v.  
25 APPLE INC.,  
26 Defendant, Counterclaimant.

Case No. 4:20-CV-05640-YGR-TSH

**EPIC'S ADMINISTRATIVE MOTION TO  
DEEM ADMITTED EXHIBITS ON BOX  
AS FILED ON THE DOCKET**

Hon. Yvonne Gonzalez Rogers

**ADMINISTRATIVE MOTION TO DEEM ADMITTED EXHIBITS ON BOX AS FILED**  
**ON THE DOCKET**

Following a bench trial, this Court entered judgment on the complaint in favor of Plaintiff, Counter-defendant Epic Games, Inc. (“Epic”) on the Tenth Count for violation of California’s Unfair Competition Law and in favor of Defendant, Counterclaimant Apple Inc. (“Apple”) on all other counts. On the counterclaims for breach of contract and declaratory relief, this Court entered judgment in favor of Apple. Both parties have appealed.

In connection with Epic’s appeal, Epic intends to cite certain exhibits and deposition designations that were admitted at trial and considered by this Court, but are not yet filed with this Court and therefore are not included on this Court’s electronic docket. Instead, the exhibits and deposition designations that Epic intends to cite are available on a publicly accessible Box account, per the parties’ agreement and this Court’s Pretrial Order No. 4. (Dkt. No. 468 at 3.)

Circuit Advisory Committee Note to Circuit Rule 27-14 provides that “the parties are encouraged during the course of the district court proceedings to file documentary exhibits electronically” so that they are included in the electronic district court docket and made accessible to the Court of Appeals.

Epic understands that the admitted trial exhibits and deposition designations are already part of the record on appeal. But for the avoidance of doubt, Epic hereby moves that the admitted exhibits and deposition designations on the publicly accessible Box account be deemed as filed on this Court’s electronic docket.

1 Dated: January 20, 2022

Respectfully submitted,

2 By: /s/ John I. Karin

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